

12-21-01

A

# FISH & RICHARDSON P.C.

225 Franklin Street  
Boston, Massachusetts  
02110-2804

Telephone  
617 542-5070

Facsimile  
617 542-8906

Web Site  
www.fr.com

JC971 U.S. PTO  
10/023529

12/17/01

December 17, 2001

Attorney Docket No.: 10797-004003

**Box Patent Application**  
Commissioner for Patents  
Washington, DC 20231

Presented for filing is a new divisional patent application of:

Applicant: ANN M. LEES, ROBERT S. LEES, SIMON W. LAW AND  
ANIBAL A. ARJONA

Title: NOVEL LOW DENSITY LIPOPROTEIN BINDING PROTEINS AND  
THEIR USE IN DIAGNOSING AND TREATING  
ATHEROSCLEROSIS

The prior application is assigned of record to Boston Heart Foundation, Inc., a  
Massachusetts corporation, by virtue of an assignment submitted to the Patent and  
Trademark Office and recorded on February 5, 2001 at 011503/0798.

Enclosed are the following papers, including those required to receive a filing date  
under 37 CFR §1.53(b):

	<u>Pages</u>
Specification	68
Claims	9
Abstract	1
Declaration	3
Drawing(s)	67

## CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No EL 932079134 US

I hereby certify under 37 CFR §1 10 that this correspondence is being  
deposited with the United States Postal Service as Express Mail Post  
Office to Addressee with sufficient postage on the date indicated below  
and is addressed to the Commissioner for Patents, Washington,  
D.C. 20231

\_\_\_\_\_  
Date of Deposit December 17, 2001

\_\_\_\_\_  
Signature *Leroy Jenkins*

\_\_\_\_\_  
Typed or Printed Name of Person Signing Certificate Leroy Jenkins

12/17/01

JC984 U.S. PTO

Frederick P. Fish  
1855-1930

W.K. Richardson  
1859-1951

10023529

12/17/01

FR

BOSTON  
DALLAS  
DELAWARE  
NEW YORK  
SAN DIEGO  
SILICON VALLEY  
TWIN CITIES  
WASHINGTON, DC

Commissioner for Patents

December 17, 2001

Page 2

Enclosures:

- Information Disclosure Statement (2 pages);
- Form PTO-1449, 4 pages, listing documents cited in the parent applications. Please confirm that these have been considered in this application by returning a copy of the Form PTO-1449 with the examiner's initials;
- Request Under 37 C.F.R. §1.821(e) to Transfer Computer Readable Form (1 page);
- Paper Copy of Sequence Listing from Parent Application (54 pages);
- Preliminary amendment, 17 pages; and
- Postcard.

This application is a divisional of U.S. Patent Application No. 09/616,289, filed July 14, 2000, which is a continuation-in-part of U.S. Patent Application No. 09/517,849, filed March 2, 2000, which is a continuation-in part of U.S. Patent Application No. 08/979,608, filed November 26, 1997, which claimed priority from U.S. Provisional Application No. 60/031,930, filed November 27, 1996, and U.S. Provisional Application No. 60/048,547, filed June 3, 1997. The disclosures of the prior applications are considered part of (and is incorporated by reference in) the disclosure of this application.

Basic filing fee	\$370
Total claims in excess of 20 times \$9	\$243
Independent claims in excess of 3 times \$42	\$630
Fee for multiple dependent claims	\$0
Total filing fee:	\$1243

A check for the filing fee is enclosed. Please apply any other required fees or any credits to deposit account 06-1050, referencing the attorney docket number shown above.

If this application is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at (617) 542-5070.

1003292001

FISH & RICHARDSON P.C.

Commissioner for Patents

December 17, 2001

Page 3

Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please send all correspondence to:

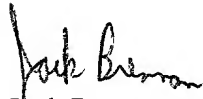
LOUIS MYERS

Fish & Richardson P.C.

225 Franklin Street

Boston, Massachusetts 02110-2804

Respectfully submitted,



Jack Brennan

Reg. No. 47,443

Enclosures

JQB/dxm

20360747.doc

20360747.doc

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ann M. Lees et al. Art Unit : 1632  
Serial No. : 09/616,289 Examiner : Q. Janice Li  
Filed : July 14, 2000  
Title : NOVEL LOW DENSITY LIPOPROTEIN BINDING PROTEINS AND THEIR  
USE IN DIAGNOSING AND TREATING ATHEROSCLEROSIS

10/023529  
12/17/01  
10/023529  
12/17/01

Commissioner for Patents  
Washington, D.C. 20231

VERIFIED STATEMENT UNDER 37 CFR §1.821(f)

I, Jennifer H. Payne, declare that I personally prepared the paper and the computer-readable copy of the Sequence Listing filed herewith for the above-identified application and that the content of both is the same.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of The United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: September 13, 2001

J. H. Payne  
Jennifer H. Payne

Fish & Richardson P.C.  
225 Franklin Street  
Boston, Massachusetts 02110-2804  
(617) 542-5070 telephone  
(617) 542-8906 facsimile

20315119 doc

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

September 17, 2001  
Date of Deposit

Lisa G. Gray  
Signature

Lisa G. Gray  
Typed or Printed Name of Person Signing Certificate



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ann M. Lees et al.                      Art Unit :  
 Serial No. : Unassigned                      Examiner :  
 Filed : Herewith  
 Title : NOVEL LOW DENSITY LIPOPROTEIN BINDING PROTEINS AND THEIR  
 USE IN DIAGNOSING AND TREATING ATHEROSCLEROSIS

Commissioner for Patents  
 Washington, D.C. 20231

REQUEST UNDER 37 C.F.R. §1.821(e) TO TRANSFER COMPUTER READABLE FORM

The Sequence Listing being filed herewith in the above-referenced divisional application is identical to that filed in U.S. Patent Application Serial No. 09/616,289, filed July 14, 2000, from which the present application claims priority. In accordance with 37 C.F.R. §1.821(e), please use the computer readable form filed in U.S. Serial No. 09/616,289 as the computer readable form for the instant application. A paper copy of the Sequence Listing filed in U.S. Serial No. 09/616,289 is enclosed. Please apply any charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 10797-004003.

Respectfully submitted,

Date: December 17, 2001

Jack Brennan  
 Jack Brennan  
 Reg. No. 47,443

Fish & Richardson P.C.  
 225 Franklin Street  
 Boston, Massachusetts 02110-2804  
 (617) 542-5070 telephone  
 (617) 542-8906 facsimile  
 20360573 doc

## CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EL932079134US

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

12-17-01  
 Date of Deposit  
Henry Jenkins  
 Signature  
Henry Jenkins  
 Typed or Printed Name of Person Signing Certificate

TOPT-6252001